

NATIONAL RECOVERY ADMINISTRATION

AMENDMENT TO
CODE OF FAIR COMPETITION

FOR THE

MILLINERY INDUSTRY

AS APPROVED ON MARCH 24, 1934



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Approved Code No. 151—Amendment No. 1

AMENDMENT TO CODE OF FAIR COMPETITION
FOR THE
MILLINERY INDUSTRY

As Approved on March 24, 1934

ORDER

AMENDMENTS TO CODE OF FAIR COMPETITION FOR THE MILLINERY INDUSTRY

An application having been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for approval of certain amendments to the Code of Fair Competition for the Millinery Industry, and hearings having been duly held thereon and the annexed report on said amendments, containing findings with respect thereto, having been made and directed to the President:

NOW, THEREFORE, I, Hugh S. Johnson, Administrator for Industrial Recovery, on behalf of the President of the United States, pursuant to authority vested in me by Executive Orders of the President, including Executive Order No. 6543-A, dated December 30, 1933, and otherwise; do hereby incorporate, by reference, said annexed report and do find the said amendments and the Code as constituted after being amended, comply in all respects with the pertinent provisions and will tend to promote the policies and purposes of said Title and said Act, and do hereby order that said amendments be and they are hereby approved, and that the previous approval of said Code is hereby modified to include an approval of said Code in its entirety as amended.

HUGH S. JOHNSON,
Administrator for Industrial Recovery.

Approval recommended:

A. D. WHITESIDE,
Division Administrator.

WASHINGTON, D.C.,
March 24, 1934.

REPORT TO THE PRESIDENT

The PRESIDENT,

The White House.

SIR: An application has been duly made pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act for certain amendments to the Code of Fair Competition for the Millinery Industry, and Hearings were conducted on said amendments in Washington, D.C. on March 13, 1934, in the Gridiron Room of the Willard Hotel.

Seven proposed amendments were submitted by the Code Authority but Hearings on one of these, namely; that relating to the inclusion of the manufacture of children's headwear, was postponed until Monday, March 19, 1934, at the request of the Code Authority and with the consent of all parties concerned.

The first amendment adds a new Section 5 of Article VI, and provides that members of the Industry shall be entitled to participate in and share the benefits of, the activities of the Code Authority by assenting to and complying with the requirements of the Code and sustaining their reasonable share of the expenses of its administration.

The second amendment adds a new subsection (i) to Section 7 of Article VI, and confers to the Code Authority the power to assess and collect from members of the Industry an equitable and proportionate payment of the reasonable expenses of maintaining the Code Authority and its activities.

The third amendment modifies Section 14 of Article VIII, and prohibits advertising allowances.

The fourth amendment establishes maximum terms of discount at seven per cent ten days e.o.m.

The fifth amendment modifies Section 13 of Article VIII, and provides that all goods are to be shipped f.o.b. city of manufacture.

The sixth amendment modifies Section 16 of Article VIII, and relates to the charges to be made for trade name labels.

FINDINGS

The Deputy Administrator in his final report to me on said amendments to said Code, having found as herein set forth and on the basis of all the proceedings in this matter:

I find that:

(a) The amendments to said Code and the Code as amended are well designed to promote the policies and purposes of Title I of the National Industrial Recovery Act, including the removal of obstructions to the free flow of interstate and foreign commerce, which tend to diminish the amount thereof, and will provide for the general welfare by promoting the organization of industry for the

purpose of cooperative action among trade groups, by inducing and maintaining action of labor and management under adequate governmental sanction and supervision, by eliminating unfair competitive practices, by promoting the fullest possible utilization of the present productive capacity of industries by avoiding undue restriction of production (except as may be temporarily required), by increasing the consumption of industrial and agricultural products through increasing purchasing power by reducing and relieving unemployment, by improving standards of labor, and by otherwise rehabilitating industry.

(b) The Code as amended complies in all respects with the pertinent provisions of said title of said Act, including without limitation subsection (a) of Section 3; subsection (a) of Section 7, and subsection (b) of Section 10 thereof.

(c) The Code empowers the Code Authority to present the aforesaid amendments on behalf of the industry as a whole.

(d) The amendments and the Code as amended are not designed to, and will not permit monopolies or monopolistic practices.

(e) The amendments and the Code as amended, are not designed to, and will not eliminate or oppress small enterprises and will not operate to discriminate against them.

(f) Those engaged in other steps of the economic process have not been deprived of the right to be heard prior to approval of said amendments.

For these reasons these amendments have been approved.

Respectfully,

HUGH S. JOHNSON,
Administrator.

MARCH 24, 1934.

AMENDMENT TO CODE OF FAIR COMPETITION FOR THE MILLINERY INDUSTRY

The Code of Fair Competition for the Millinery Industry is hereby amended by the following:

Add to Section 5 of Article VI as follows:

“Members of the Industry shall be entitled to participate in, and share the benefits of the activities of the Code Authority by assenting to, and complying with, the requirements of this Code, and by sustaining their reasonable share of the expenses of administration as shall be determined by the Code Authority, subject to review by the Administrator, on the bases of volume of business, and/or such other factors as may be deemed equitable.”

Add Subsection (i) to Section 7 of Article VI as follows:

“To assess and collect from members of the Industry an equitable and proportionate payment of the reasonable expenses of maintaining the Code Authority and its activities.”

Amend Section 14 of Article VIII to read as follows:

“No member of the Industry shall pay directly or indirectly any part of the advertising expenses of a purchaser or prospective purchaser or the agent or agents of such purchaser or prospective purchaser. This prohibition shall not apply, however, to the supplying of cuts, matrices, and window cards.”

Amend Section 12 of Article VIII to read as follows:

“No member of the Industry shall allow any discount in excess of seven per cent (7%) if paid within ten (10) days, except that e.o.m. dating may be granted on a seven per cent (7%) ten (10) day basis, and payment may be anticipated at the rate of six per cent (6%) per annum, and all shipments made on or after the 25th day of any month may bear dating as of the first day of the following month, but no shipments made prior to the 25th day of any month shall, under any circumstances, bear such dating. The provisions of this paragraph shall not be circumvented either directly or indirectly by bookkeeping methods or otherwise.”

Amend Section 13 of Article VIII to read as follows:

“All shipments of millinery by members of the Industry shall be made f.o.b. city of manufacture.”

Add a Section 16 to Article VIII as follows:

“Members of the Industry shall charge for all trade name labels, whether or not such labels are on special linings, the additional cost of such trade name labels and special linings in excess of the member's cost of the regular label and lining.”

Approved Code No. 151—Amendment No. 1.
Registry No. 228-03.



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